



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1430
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,010	02/06/2001	Chihiro Ono	010122	5471

38834 7590 06/25/2004

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

HOSSAIN, TANIM M

ART UNIT	PAPER NUMBER
----------	--------------

2141

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,010

Applicant(s)

ONO ET AL.

Examiner

Tanim Hossain

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/06/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2141

Application/Control Number: 09/777,010

Art Unit: 2141

Detailed Action

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The disclosure is objected to because of the following informalities:

- a. In figure 7, item 71 is not labeled.
- b. In figure 12, "Shoud" is a typographical error.
- c. On page 10, lines 1-2, the phrase, "for starting car the navigation system", is grammatically incorrect.
- d. On page 12, lines 12-13, the phrase, "the detailed information of which the operator desires to view", must be separated by commas.

Appropriate correction is required.

Claim Objections

Claim 7 is objected to because of the following informality:

- a. "If" (page 19, line 1) is improperly capitalized.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over de Hond (6,002,853) in view of Towell (6,647,411).

a. As per claim 1, de Hond teaches an information search and display apparatus comprising: a pull type information interface for inputting pull type information and summaries of the pull type information from a pull type information distribution medium (Abstract; figure 3; column 11, lines 17-18, where a pull type interface is constituted by the act of the client making a search request, followed by the server returning search results. Summaries are a body of information reduced to its main points, and thus the virtual reality scene constitutes a summary); a summary storage means for storing said extracted summaries (figure 2; column 6, lines 39-45, where the database information, namely the summaries, is stored in the memory. This is also inherent by the nature of de Hond's invention); a search condition input means for inputting search conditions (Abstract; figure 3; column 4, line 45); a summary download means for downloading summaries of pull type information satisfying said search conditions through said pull type information interface, the summaries described in said predetermined common format (Abstract; figure 3; column 11, lines 17-19, where the pull type information interface is implied by the client's search, and the downloading means is inherent throughout the invention due to the interaction between client and server); a summary search means for searching summaries satisfying said search conditions from the summaries already registered in said search conditions from the summaries already registered in said summary means (Abstract; figure 3; column 4, line 45; where this fact is inherent throughout the invention); and a summary list display means for displaying a list of said searched summaries and the summaries satisfying said search conditions and downloaded from the pull type information distribution medium (the fact that de Hond's

invention is a network database that utilizes user searches to return results through downloading information from a server renders the existence of a list and list display means inherent).

However, de Hond does not explicitly teach a push type interface for the reception and extraction of summaries. Towell teaches a push type information interface for inputting push type information provided from a push type information distribution medium (Abstract; column 10, lines 13-16; where the speculative downloading implies the transmittal of push type information, and column 8, lines 56-59). Towell also teaches a summary extraction means for extracting summaries described in a predetermined common format from said respective inputted push type information (Abstract; column 11, lines 57-65; and column 12, lines 1-2; where the user's viewing of the on-demand information from the push type transmission constitutes the extraction of summaries or information from a push type source). It would have been obvious to one of ordinary skill in the art at the time of the invention to include a push type interface for receiving information in addition to possessing a pull type interface as taught by Towell in the system of de Hond, because both de Hond and Towell are from the same field of endeavor of information transmittal and download. The motivation for doing so is for the extension and diversification of de Hond's invention, where a new information type can be used.

b. As per claim 2, de Hond teaches an information search and display apparatus according to claim 1, comprising: summary designation means for designating one of the summaries displayed on the list (column 8, lines 16-17, 22; where the user's ability "to select the number of 'hits' the user wants to see", implies the existence of designation means for the summaries or "hits"); information download means for downloading information corresponding to said designated summary (figures 5-10; where the user's ability to select the different buttons

corresponding to different information types constitutes a designated summary, and the act of returning the results through the server constitutes download means; and column 9, lines 7-13, where the use of hyperlinks implies communication with a server, i.e. downloading information); and display control means for displaying said downloaded information in a unique form corresponding to a format of the information, wherein if the information corresponding to said designated summary is the information already registered in said information storage means, said information download means downloads the registered information, and if the information corresponding to said designated summary is unregistered pull type information, said information download means downloads the unregistered pull type information from the pull type information distribution medium through said pull type information interface (column 10, lines 25-30; where information is contained in the database, which constitutes the information already registered in the information storage means. The discussion of the use of “virtual worlds hyperlinked via the World Wide Web”, column 5, lines 37-38 constitute the use of unregistered pull type information. The act of downloading is inherent. See also column 6, lines 29-30). However, de Hond does not explicitly teach information storage means for storing the push type information. Towell teaches information storage means for storing the push type information downloaded from said push type information distribution medium (column 10, lines 13-15; where the caching device is the storage means). The obviousness of including push type information has been discussed previously, and the inclusion of a storage means for the push type information is inherent.

c. As per claim 3, de Hond, in view of Towell, discloses an information search and display apparatus according to claim 2, wherein the pull type information downloaded by said

information download means is stored in said information storage means (To perform the required tasks of de Hond's invention, this storage measure must inherently exist, and has been previously discussed).

d. As per claim 4, de Hond discloses an information search and display apparatus, but does not explicitly teach the use of broadcasting as a push type information distribution medium. Towell discloses the use of broadcasting as an information transmission medium (column 5, line 22). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the ability to include broadcasting as the push type information medium, the basis for which was discussed in part a. The motivation for doing so is inherent; broadcasting is an example of the transmittal of push type information, and would further extend de Hond's invention.

e. As per claim 5, de Hond, in view of Towell, teaches an information search and display apparatus according to claim 1, wherein said pull type information distribution medium is at least one of an information providing service utilizing a public line, Internet, and a disk medium (de Hond: column 6, lines 39-45. The use of a public line is discussed in column 6, lines 56-57, where the use Wide Area Information Servers uses a public line. The Internet is further discussed in column 6, lines 62-66. This is all pull type information, because the client requests such information. Also see column 5, lines 29-30).

f. As per claim 6, de Hond, in view of Towell, teaches an information search and display apparatus according to claim 1, wherein when accessing an information for which an operator is charged for download of said information or summaries, whether to admit or reject the download of the information is inquired in advance (Towell: column 4, line 35; column 6, lines 18-24;

column 7, lines 40-42 column 8, lines 49-52; column 11, line 66 – column 12, line 2. The use of the authentication manager implies the existence of an inquiry to admit or reject the download of information. The user requests the fee-based information to be downloaded, and thus inherently, an inquiry of admission or rejection of information takes place).

g. As per claim 7, de Hond, in view of Towell, teaches an information search and display apparatus according to claim 6, wherein if access to the charged information is rejected, information from a medium free of charge is set (This is inherent based on de Hond in view of Towell. If, for example, authentication fails, the device, in this case a television transmission, would not stop working completely, but would instead broadcast other information free of charge.)

h. As per claim 8, de Hond, in view of Towell, teaches an information search and display apparatus according to claim 1, wherein in displaying said list of summaries, a list of only important parts of the respective summaries is displayed (figures 7-10, where the listing of important information is displayed by the use of various pictures of businesses to symbolize it. Further information can then be obtained by clicking on the pictures, as in figure 8).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

De Hond (U.S. 5,737,533) teaches a system for creating a virtual reality scene in response to a database search.

Zucknovich et al. (U.S. 5,940,843) teaches a system of information retrieval, which is subject to certain restrictions.

Carpenter et al. (U.S. 6,065,047) teaches an online subscription-based information search system.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 703/605-1228. The examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703/305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703/872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tanim Hossain
Patent Examiner
Art Unit 2100

th


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER